

FORM PTO, 1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
REV. 12-2004)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

112701-610

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/526576

INTERNATIONAL APPLICATION NO.  
PCT/EP03/008745INTERNATIONAL FILING DATE  
7 August 2003PRIORITY DATE CLAIMED  
4 September 2002

## TITLE OF INVENTION

PROCESS FOR PREPARING AN OIL CONTAINING ONE OR MORE LONG-CHAIN POLYUNSATURATED FATTY ACIDS  
DERIVED FROM BIOMASS; FOODSTUFF OR NUTRITIONAL, COSMETIC OR PHARMACEUTICAL COMPOSITION...

## APPLICANT(S) FOR DO/EO/US

Bertholet et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 351 265 036 US
23. ☒ Other items or information:

Power of Attorney to Prosecute Applications Before the USPTO (1 page); and  
Return Receipt Postcard

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10,526,576</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/008745</b>		ATTORNEY'S DOCKET NUMBER <b>112701-610</b>	
24. The following fees are submitted:				Applicant use	Office use
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00	\$	\$300.00	
<input checked="" type="checkbox"/> b) Examination fee		\$200.00	\$	\$200.00	
<input checked="" type="checkbox"/> c) Search fee		\$500.00	\$	\$500.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$	\$1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	/50 =		x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	23 - 20 =	3	x \$50.00	\$	\$150.00
Independent claims	8 - 3 =	5	x \$200.00	\$	\$1,000.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>			+ \$360.00	\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$2,150.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$2,150.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$2,150.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$2,150.00
Amount to be refunded:				\$	
Amount to be charged:				\$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>\$2,150.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>02-1818</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
<b>Robert M. Barrett (30,142)</b> <b>Bell, Boyd &amp; Lloyd LLC</b> <b>P.O. Box 1135</b> <b>Chicago, IL 60690-1135</b>					
SIGNATURE					
<b>Robert M. Barrett</b>					
NAME					
<b>30,142</b>					
REGISTRATION NUMBER					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bertholet et al.  
Appl. No.: PCT/EP03/008745  
Filed: 7 August 2003  
Title: PROCESS FOR PREPARING AN OIL CONTAINING ONE OR MORE LONG-CHAIN  
POLYUNSATURATED FATTY ACIDS DERIVED FROM BIOMASS; FOODSTUFF OR  
NUTRITIONAL, COSMETIC OR PHARMACEUTICAL COMPOSITION CONTAINING IT  
Art Unit: Unknown  
Examiner: Unknown  
Docket No.: 112701-610

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (2 pages) (duplicate);
2. Copy of International Application As Filed (24 pages);
3. Copy of International Preliminary Examination Report (5 pages);
4. Copy of International Search Report (4 pages);
5. Unexecuted Declaration (3 pages);
6. Power of Attorney (1 page);
7. Preliminary Amendment (37 pages);
8. Check in the Amount of \$2,150.00; and
9. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

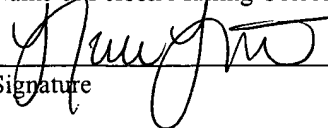
on March 4, 2005

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Heather Foster

Name of Person Mailing Correspondence



Signature

EV 351 265 036 US

Express Mail Mailing Label Number